

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

LAND ACQUISITION - Decretal Charges - Anantapur District-  
Uravakonda Mandal - Mylarampalli Village - Sy.No.43-Extent 21.78  
acres acquired for foreshore submersion of PABR Dam-Award  
No.24/88 dated 20.06.88 Orders passed by the Lower court in  
O.P.No.161/88 dated 22.09.1999 - A.S.No.2772/2000,dated 24.11.05  
- Payment of enhanced Compensation-Submission of proposals -  
sanction of Rs.3,90,566/- Requested - Regarding.

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IRRIGATION & C.A.D.(PW-LA.II) DEPARTMENT

G.O.Rt.No. 81

Dated: 01.02.2010

Read the following:

- 1.From the District Collector, Ananthapur, Lr.Rc. No. G2/1417/  
2001, Dated: 12.4.2009.
2. From The Chief Commissioner of Land Administration A.P.,  
Hyderabad. CCLA's Lr.No.G4/515/2009, dated 21.08.2009.

**O R D E R:**

The District Collector, Ananthapur, and Special Chief Secretary to Government & Chief Commissioner of Land Administration, A.P. Hyderabad in the letters Ist and 2<sup>nd</sup> read above has reported that the lands in Sy.NO.43, Extent 21.78 acres of Mylarampalli village of Uravakonda Mandal of Anantapur District were acquired for foreshore submersion of PABR in Award No.24/88 dated 20.6.88. The compensation amount of Rs. 2,15,650/- was paid to the awardees. Aggrieved the market value fixed by the Land Acquisition Officer, the claimants who received the compensation under protest and requested the Land Acquisition Officer to refer the matter to Civil Court U/s. 18 of the L.A. Act. Accordingly the matter was referred to Civil Court and the case was numbered as **O.P.NO. 161/88**. The Civil Court in its orders dated 22.09.1999 passed Judgment in **O.P.NO.161/88**. enhancing the land value in Sy,No.43, Extent 21.78 acres of land value **from Rs.5,250/- to Rs. 13,000/- per acre for wet lands (3.46 acres) and 18.32 acres of dry lands from Rs. 3,300/- to 10,000/-** with statutory benefits and the Hon'ble High Court of A.P. Hyderabad has granted conditional stay to deposit ½ of the Decretal amount. Accordingly the Land Acquisition Officer has deposited an amount of Rs. 2, 53,003/- in the Civil Court. The Hon'ble High Court of AP, Hyderabad have finally dismissed the appeal in AS.NO. **2772/2000 dated 24.11.2005** and the Government Pleader for Appeals, A.P. High Court, Hyderabad has opined that this is not a fit case to prefer further appeal to Hon'ble Supreme Court of India.

The Collector, Anantapur District has requested for sanction of an amount of **Rs.3,90,566/-(Rupees Three lakhs Ninety thousands Five Hundred and Sixty Six only)** towards final decretal charges to deposit the same in the Civil Court towards for payment of Decretal Charges to the claimants as ordered by the Hon'ble High Court in **A.S.NO.2772/2000, Dated 24.11.2005** against the **O.P.No.161/88** to avoid further legal complications. The CCLA, A.P. Hyderabad has recommended for an amount of Rs. 3,90,566/-.

After careful examination of the matter, Government hereby accord sanction for an amount of Rs. 3,90,566 (Rupees Three lakhs Ninety thousands Five hundred Sixty Six only) towards final decretal

(P.T.O)

charges to be deposited in Lower Court in O.P.No. 161/88 in A.S. No. 2772/2000, Dt: 24.11.2005 pertaining to the lands acquired in Sy.No. 43, Extent 21.78 acres acquired for foreshore submersion of PABR Dam of Mylarampalli (Village), Uravakonda (Mandal), Ananthapur District, subject to verification whether the reference under Section 18 (1) of the L.A. Act is made to the Lower Court after following all the guidelines/directions on the subject and in case, it is detected that section 18 reference was made contrary to the rules/guidelines issued by the Government/CCLA, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the CE as to the extent of land acquired. Further the District Collector, Ananthapur should verify the calculations made by the RDO (LAO), once again thoroughly with references to the decree and instructions issued by the Govt /CCLA, Hyderabad. On the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in the Lower Court.

The District Collector, Ananthapur is directed to deposit the above sanctioned decretal amount in the respective court after thorough verification of calculations made by the Land Acquisition Officer once again at his level and also verify the decrees and decretal charges if any, already paid. He is also directed to follow the directions of Hon'ble High Court dated: 30.4.2007 in W.P. No. 2181/2005 in depositing the above sanctioned decretal amount in the respective court.

The amount sanctioned in para ( 3 ) above shall be debited to the detailed Head of Account "4701- COL-M1, MH – 101-SW-GH(II)-NSP-SH(12)-C&R of M1 Schemes – 530 Major works 532 - Land (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

This order issues with the concurrence of Finance (W & P) Department vide their U.O.No. 34004/1222/Exp-P.W I/09, Dated: 5.1.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJEEV RANJAN MISRA,  
SECRETARY TO GOVERNMENT

To  
The Special Chief Secretary & CCLA, A.P. Hyderabad  
The District Collector, Ananthapur  
The Chief Engineer, Irrigation, Hyderabad  
The Special Deputy Collector, L.A. HLC, Ananthapur  
The Revenue Divisional Officer, Ananthapur  
The Superintending Engineer, I & CAD, Ananthapur  
The Director of Works and Accounts, Hyderabad  
Copy to  
P.S. to Minister ( M & MI)  
Law Department/Finance (W&P) Department  
C.No. 22145/L.A,II/A2/2009  
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//FORWARDED BY ORDER//

SECTION OFFICER